

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CRIMINAL MINUTES

Date: September 3, 2008

JUDGE: Phyllis J. Hamilton

Case No: CR-08-131 PJH

Case Name: UNITED STATES v. DEMETRIUS SMITH (C)

Attorney for Plaintiff: William Frentzen

Attorney for Defendant: Michael Thorman

Deputy Clerk: Nichole Heuerman

Court Reporter: Belle Ball

Probation: Brian Casai for Charles Mabie

PROCEEDINGS

Sentencing-Held. Letters written on the defendant's behalf are submitted to the court. The defendant is committed to the custody of the Bureau of Prisons for a term of 120 months; 8 years supervised release with the following special conditions: 1) defendant shall pay any special assessment that is imposed 2) defendant shall provide probation with access to any financial information 3) defendant shall participate in a program of testing and treatment for drug abuse 4) defendant shall make an application to register as a drug offender pursuant to state law 5) defendant shall submit to a search 6) defendant shall not associate with any member of the Eddy Rock gang 7) defendant shall not own or possess any firearms, ammunition, destructive devices or other dangerous weapons and 8) defendant shall cooperate in the collection of DNA. The defendant shall pay a special assessment in the amount of \$100.00 which shall be paid at not less than \$25.00 per quarter through the Bureau of Prison's Inmate Financial Responsibility Program.

The court to make a recommendation to the Bureau of Prisons that the defendant be designated to a facility as close to Northern California to facilitate family visits and that the defendant participate in the Bureau of Prisons Residential Drug Treatment Program.

The defendant is informed of his right to appeal which must be filed within 10 days of entry of judgment and his right to ask for permission to appeal in forma pauperis.

cc: chambers